1   GIBSON, DUNN & CRUTCHER LLP
    MARK A. PERRY (*pro hac vice*)
2   1050 Connecticut Avenue, N.W.
    Washington, DC 11101
3   Telephone: 202.955.8500
    mperry@gibsondunn.com
4
    GIBSON, DUNN & CRUTCHER LLP
5   JEFFREY T. THOMAS (*pro hac vice*)
    BLAINE H. EVANSON (*pro hac vice*)
6   JOSEPH A. GORMAN (*pro hac vice*)
    CASEY J. MCCRACKEN (*pro hac vice*)
7   3161 Michelson Drive
    Irvine, CA 92612-4412
8   Telephone: 949.451.3800
    jtthomas@gibsondunn.com
9   bevanson@gibsondunn.com
    jgorman@gibsondunn.com
10 cmccracken@gibsondunn.com

11 GIBSON, DUNN & CRUTCHER LLP
    SAMUEL LIVERSIDGE (*pro hac vice*)
12 ERIC D. VANDEVELDE (*pro hac vice*)
    333 South Grand Avenue
13 Los Angeles, CA 90071-3197
    Telephone: 213.229.7000
14 sliversidge@gibsondunn.com
    evandevelde@gibsondunn.com
15
    Attorneys for Defendants
16 *Rimini Street, Inc.*

RIMINI STREET, INC.
DANIEL B. WINSLOW (*pro hac vice*)
6601 Koll Center Parkway, Suite 300
Pleasanton, CA 94566
Telephone: (925) 264-7736
dwinslow@riministreet.com

RIMINI STREET, INC.
JOHN P. REILLY (*pro hac vice*)
3993 Howard Hughes Parkway, Suite 500
Las Vegas, NV 89169
Telephone: (336) 908-6961
jreilly@riministreet.com

HOWARD & HOWARD ATTORNEYS PLLC
W. WEST ALLEN (Nevada Bar No. 5566)
3800 Howard Hughes Parkway, Suite 1000
Las Vegas, NV 89169
Telephone: (702) 667-4843
wwa@h2law.com

17   **UNITED STATES DISTRICT COURT**

18   **DISTRICT OF NEVADA**

19 ORACLE USA, INC., et al.,

20   Plaintiffs,

21   v.

22 RIMINI STREET, INC., et al.,

23   Defendants.

CASE NO. 2:10-cv-00106-LRH-VCF

**DECLARATION OF SUDHIR
KUMAR IN SUPPORT OF RIMINI
STREET INC.'S OPPOSITION TO
ORACLE'S MOTION FOR ORDER
TO SHOW CAUSE**

PUBLIC REDACTED VERSION

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Crutcher LLP

DECLARATION OF SUDHIR KUMAR IN SUPPORT OF RIMINI STREET INC.'S OPPOSITION TO
ORACLE'S MOTION FOR ORDER TO SHOW CAUSE
CASE NO. 2:10-CV-00106-LRH-VCF

1   I, Sudhir Kumar, declare as follows:

2   1.   I am currently employed as Vice President, Global Technology Support, at

3   Rimini Street, Inc. ("Rimini"), and I have worked at Rimini for 7 years. I have over 30 years

4   of experience in the development, implementation and management of large in-house business

5   systems, including implementation and support of Oracle Database ("ODB"). I submit this

6   declaration in support of Rimini's Opposition to Oracle's Motion for Order to Show Cause.

7   The facts stated in this declaration are based on my personal knowledge, and if called upon as

8   a witness, I would and could testify competently to them.

9   2.   In my role at Rimini, I am responsible for leading a team of experienced

10   engineers who are tasked to provide support for complex operational issues related to ODB, as

11   well as the underlying technology and tools required to run major enterprise software.

12   3.   ODB is relational database software. It supports the data storage and

13   management requirements of Enterprise Resource Planning ("ERP") software applications.

14   ERP software relies on the underlying database layer—which can be ODB or other database

15   software—to store and manage enterprise data that Rimini's clients use in their business

16   operations. In other words, ODB is a data storage location, and ERP software (as well as non-

17   ERP applications developed by Rimini's clients) accesses and modifies the stored data.

18   4.   Rimini provides remote support services for ODB, in addition to support

19   services for ERP applications that that may rely on ODB as their database layer, such as

20   PeopleSoft or JD Edwards, and also *non-Oracle* ERP software, developed by Oracle

21   competitors like SAP.

22   5.   Rimini's support services for ODB includes break-fix support, which involves

23   diagnosing and fixing problems in Rimini's clients' ODB software. Rimini does not develop

24   updates for ODB. ███

25   6.   Rimini also provides support services to its clients' ERP software (*e.g.*,

26   PeopleSoft and JD Edwards) by diagnosing and fixing problems, or by making updates to the

27   software. Rimini's support for ERP applications that rely on ODB as the underlying database

28   involves ████████████████████████████████████

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DECLARATION OF SUDHIR KUMAR IN SUPPORT OF RIMINI STREET INC.'S OPPOSITION TO
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CASE NO. 2:10-CV-00106-LRH-VCF

Gibson, Dunn &
Crutcher LLP

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7 8.   ██

8 9.   I understand Oracle contends that the injunction prohibits Rimini from

9 ██

10 ██████████████████████████████████

11 10.   It would be impossible for Rimini, or any other third-party support provider,

12 to support ODB without ██

13 ████████   For example, Rimini could not launch, run, operate, configure, or test its clients'

14 ODB software on the clients' own systems.

15 11.   Similarly, it would be impossible for Rimini to support any clients' ERP

16 software if that software utilizes ODB as its underlying database. This would include both

17 Oracle ERP products (like PeopleSoft or JD Edwards) and *non-Oracle* ERP software (like

18 SAP products).

19 I declare under penalty of perjury under the laws of the United States that the

20 foregoing is true and correct, and that I executed this Declaration on July 31, 2020, at

21 *Adelaide , South Australia.*

22

23 _____

24 Sudhir Kumar

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DECLARATION OF SUDHIR KUMAR IN SUPPORT OF RIMINI STREET INC.'S OPPOSITION TO
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